

REMARKS

The present Amendment amends claims 4, 5, 10 and 19-29, leaves claims 6 and 7 unchanged, cancels claims 1-3, 8, 9 and 11-18 and adds new claims 30-70. Therefore, the present application has pending claims 4-7, 10 and 19-70.

In the Office Action the Examiner objected to the specification particularly with regards to various ones of the claims. Various amendments were made throughout the specification to correct minor errors grammatical and editorial in nature discovered upon review. Also, various amendments were made throughout the now pending claims 4-7, 10 and 19-29 so as to correct the informalities noted by the Examiner in paragraph 2 of the Office Action. Therefore, this objection is overcome and should be withdrawn.

Claims 1-16 stand rejected under 35 USC §112, first paragraph as allegedly failing to comply with the enablement requirement. Particularly, the Examiner alleges that the claims contain subject matter which was not described in the specification in such a way as to enable one skill in the art to which it pertains or with which it most nearly connected, to make and/or use the invention. The Examiner objects to the language in claim 1 regarding each disk controller including one port or a plurality of independent ports. Claim 1 was canceled, however amendments were made to each of the remaining claims so as to more clearly recite that the disk controller is recited as including at least one port which corresponds to the illustration of the invention as set forth, for example, in Fig. 2. Thus, the claims now correspond to the description of the invention and as such overcomes the 35 USC §112, first paragraph rejection. Accordingly, reconsideration and withdrawal of the 35 USC

§112, first paragraph rejection of claims 1-16 is respectfully requested. It should be noted, that claims 1-3, 8, 9 and 11-18 were canceled thereby rendering moot the 35 USC §112, first paragraph rejection of these claims.

Claims 1, 2, 8, 9, 11, 17 and 18 stand rejected under 35 USC §102(b) as being anticipated by Vishlitzky (U.S. Patent No. 5,960,216); and claims 3 and 11-16 stand rejected under 35 USC §103(a) as being unpatentable over Vishlitzky in view of Chain (U.S. Patent No. 6,000,020). As indicated above, claims 1-3, 8, 9 and 11-18 were canceled. Therefore, these rejections are rendered moot. Accordingly, reconsideration and withdrawal of these rejections is respectfully requested.

It should be noted that the cancellation of claims 1-3, 8, 9 and 11-18 was not intended nor should it be considered as an agreement on Applicants part that the features recited in claims 1-3, 8, 9 and 11-18 are taught or suggested by any of the references of record particularly Vishlitzky and Chain whether taken individually or in combination with each other. The cancellation of these claims was simply intended to expedite prosecution of the present application.

Applicants acknowledge the Examiner's indication in paragraph 9 of the Office Action that claims 4-7, 10, and 19-29 would be allowable if rewritten in independent form including all the limitations of the base claim and any intervening claims. Amendments were made to claims 4-7, 10, and 19-29 to place them in independent form including all the limitations of the base claim and any claims. Therefore, claims 4-7, 10 and 19-29 are allowable as indicated by the Examiner.

As indicated above, the present Amendment adds new claims 30-70. New claims 30-70 recite many of the same features as recited in claims 4-7, 10 and 19-29

determined by the Examiner as being allowable over the prior art of record.


Therefore, the same reasons for the allowance of claims 4-7, 10 and 19-29 apply as well to new claims 30-70.

In view of the foregoing amendments and remarks, Applicants submit that claims 4-7, 10 and 19-70 are in condition for allowance. Accordingly, early allowance of claims 4-7, 10 and 19-70 is respectfully requested.

To the extent necessary, the applicants petition for an extension of time under 37 CFR 1.136. Please charge any shortage in fees due in connection with the filing of this paper, including extension of time fees, or credit any overpayment of fees, to the deposit account of Antonelli, Terry, Stout & Kraus, LLP, Deposit Account No. 01-2135 (500.39944X00).

Respectfully submitted,

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